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JAN 1 2 2005

Deliver to:		Keeler, Kimberly A, USP	го	Art Group:	1723			
Facsimile No.:		(703) 872-9306		Date:	January 12, 2005			
From: Roger W. Blakely, Jr., Reg.			g. No. 25,8	31				
Our Docket No.: 5983P002			N	Number of pages 23 including this sheet.				
Α	pplication No.:	10/728,060		Filing Date: 12/4/2003				
	· ·		· [Docket Due Date(s):	3/4/2004			
E	Enclosed are the following documents:							
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	Amendment:	<u>Preliminary</u> (<u>6 pgs)</u>		Issue Fee Transmittal	•			
	☐ Appeal Brief	(in triplicate) (pgs)		Notice of Appeal				
	☐ Application: _			Petition for:	· · · · · · · · · · · · · · · · · · ·			
	(pgs) w/cover & abstract)		Request for Continued E	xamination (RCE)			
	☐ Assignment 8	& Cover Sheet (3_pgs)		Reply Brief (pgs)				
		Eacsimile		Request & Certification Under 35 USC 122(b)(2)(B)(i)				
	☐ Continued Prosecution Application (CPA			☐ Request to Rescind Previous Nonpublication Request				
	☐ Declaration & POA (pgs)			☐ Response to Notice of Missing Parts & Formalities Letter				
		sheets, figures		Response to Written Opinion (pgs)				
		Time:		Terminal Disclaimer				
		ital (in duplicate)		Transmittal of Publication	n Fee Due			
	IDS & PTO/S	B/08 (3 pgs)	Ø	Transmittal Letter				
	Other Copies	of 3 Cited References (10 pgs)	· · · · · · · · · · · · · · · · · · ·					
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URAS 40 BACHERA SPECIFICATION THE SEPTEMBER AND								
<u>CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)</u> I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States								
	Patent and Trademark Office.							
Condina (1 (Lank 01/12/2005								
Jessica A. Clark Date								

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01/12/2005 WED 15:39 FAX 7145573347

TRANSMITTAL FORM (to be used for all correspondence after initial filing)			Application No.	10/728,060		
			Filing Date	December 4, 2003		
			First Named Inventor	Kelly Tidwell		
			Art Unit	1723		
			Examiner Name	Keeler, Kimberly A		
Total Number of Pages in This Submission 22			Attorney Docket Number	5983P002		
	ENCLO	SURES (chec	k all that apply)			
Fee Transmittal Fo	Fee Transmittal Form			After Allowance Communication to Group		
Fee Attache	ed	Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences		
Amendment / Res	ponse	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
After Final Affidavits/de	eclaration(s)	Petition to Convert a Provisional Application		Proprietary Information		
Extension of Time	Request	Power of Attorney, Revocation Change of Correspondence Address		Status Letter		
Express Abandoni	ment Request	Terminal Disclaimer		Other Enclosure(s) (please identify below):		
Information Disclo	sure Statement	Request for	Refund	Copies of 3 Cited References		
		CD, Number of CD(s)				
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Response to Missi incomplete Applica	_	Remarks				
	iling Fee ation/POA					
Response to Parts under 1.52 or 1.53						
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm						
or			KOLOFF, TAYLOR & ZAFMAN LLP			
Signature	Sover	Blakel				
Date Jarkary 12, 2005						
CERTIFICATE OF MAILING/TRANSMISSION						
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.						
Typed or printed name Jessic A. Clark /			2 1			
Signature	Cessi	ca V Cl	ark c	Date January 12, 2005		

Based on PTO/SB/21 (04-04) as modified by Flakely, Solokoff, Taylor & Zafman (w/r) 06/04/2004. SEND TO: Commissioner for Patentis, P.O. Fox 1450, Alexandria, VA 22313-1450

FEE TRANSM	Complete if Known						
	Application Number	10/728,060					
for FY 200	Filing Date	December 4, 2003					
Patent fees are subject to annual re		First Named Inventor	Kelly Tidwell				
Applicant claims amail ontitu status	See 37 CEP 1 27	Examiner Name	Keeler, Kimber	lv A			
Applicant claims small entity status.	366 31 CFK 1.21.	Art Unit	1723	-,			
TOTAL AMOUNT OF PAYMENT	(\$) 0.00	Attorney Docket No.	5983P002	r.			
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METHOD OF PAYMENT (check a	all that anniv)						
							
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Deposit Account Deposit Account	Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP						
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge any additional fee(s) or underpayment of fee(s) Under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.							
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SUBMITTED BY			Comp	lete (if applicable)			
Name (Print/Type) Roger W. Blakely,	Jr	Registration No. (Attorney/Agent) 25,831	Telephone	(714) 557-3800			
Signature Roya L	agely 1		Date	01/12/05			
	off Taylor & Zalimon (with 12/15/2004						
Based on PTO/SB/17 (12-04) as modified by Blakety, Sokoloff, Taylor & Zafinfan (wir) 12/15/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 28313-1450							

Signature

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Teylor & Zampan (wtr.) 12/15/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 2//3/3-1450

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FEE TRANSMITTAL for FY 2005		Application Numb	Application Number 10/728,060				
		Filing Date	10,	cember 4, 2003			
	Patent fees are subject to annual revision.		First Named Inve		ly Tidwell	, <u>, , , , , , , , , , , , , , , , , , </u>	
			Examiner Name	11101	ler, Kimber	-1 A	
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☐ Check ☐ Credit card			Other (please ider	ntify):			
Deposit Account Dep	osit Account	Number: <u>02-2666</u>	Deposit Account I	Name: Blakely, Se	koloff, Tay	lor & Zafman LLP	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayment of fee(s) Under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.							
FEE CALCULATION							
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1403 1,000 2409 50				<u> </u>			
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1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) .1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b))							
Other fee (specify)							
SUBTOTAL (2) (\$)							
SUBMITTED BY			1 =		Comp	lete (if applicable)	
Name (Print/Type) Roger V	V. Blakely, J	r. 01	Registration No. (Attorney/Agent)	25,831	Теlерһоле	(714) 557-3800	
Signature Doug	nh/B	aldel			Date	01/12/05	

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JAN 1 2 2005

Appl. No. 10/728,060 Prelim Amdt. Dated 01/12/2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. :

10/728,060

Confirmation No. 7669

Applicant

Kelly Tidwell

Filed

12/04/2003

TC/A.U.

1723

Examiner

Keeler, Kimberly A

Docket No.

5983P002

Customer No.

8791

Commissioner for Patents PO Box 1450 Alexandria VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Prior to examination, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.